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THE LIFE

OF

JESSE HARDING POMEROY.

The Most Remarkable Case in the History
of Crime or Criminal Law.

BY E. LUSCOMB HASKELL.

ILLUSTRATED.

BOSTON : 1892.

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INTRODUCTION.

There has been so much said and written concerning JESSE HARDING POMEROY, the noted Massachusetts boy murderer, a large amount of which has been indefinite and to a considerable extent untrue, that I decided to write an account of his life.

This interesting character, who in boyhood became a part of the criminal history of the Commonwealth of Massachusetts, continues to attract universal attention. No prisoner is more noted or more inquired after than he.

The story of his crimes is not familiar to many at present. It affords a basis for the study of criminals and causes which lead to the commission of outrageous offences.

Under the law no one is allowed to see Pomeroy, except those in authority and concerned in the management of the penal institutions of Massachusetts. As a result no opportunity has been afforded to photograph the criminal to satisfy public curiosity.—Three of the illustrations in this book were drawn from memory. The view of the Massachusetts State Prison at Charlestown and the scene in the prison yard were obtained from photographs.

In searching for facts in regard to the subject of this volume I was assisted by several gentlemen to whom I hereby return many thanks.

Histories of noted criminals are always interesting and I trust this one will be no exception to the rule.

THE AUTHOR.

Boston, Mass., 1892.

THE CONTENTS.

CHAPTER I.

POMEROY'S CLOSE CONFINEMENT IN THE MASSACHUSETTS STATE
PENAL INSTITUTIONS.

CHAPTER II.

AN ACCOUNT OF THE DISCOVERY OF THE BODY OF THE MUR-
DERED MILLEN BOY.

CHAPTER III.

FINDING OF THE REMAINS OF KATIE CURRAN IN A CELLAR IN
SOUTH BOSTON.

CHAPTER IV.

THE TRIAL OF POMEROY FOR THE WILLFUL MURDER OF THE
LITTLE MILLEN BOY.

CHAPTER V.

THE MOST REMARKABLE CASE IN THE HISTORY OF CRIME OR
CRIMINAL LAW

CHAPTER VI.

THE TRIAL RESULTS IN THE CONVICTION OF POMEROY OF MUR-
DER IN THE FIRST DEGREE.

CHAPTER VII.

POMEROY'S NUMEROUS BUT UNSUCCESSFUL ATTEMPTS TO ES-
CAPE FROM CONFINEMENT.

CHAPTER VIII.

THE MANNER IN WHICH THE CONVICT PASSES HIS HOURS. —
“ A CHILD OF THE DEVIL.”

CHAPTER IX.

A GLANCE AT POMEROY'S YOUTH. — JESSE'S UNACCOUNTABLE
DEPRAVITY.

ILLUSTRATIONS.

- I. Subject of Volume.
- II. Exterior View of Pomeroy's Room. The prisoner's cell is approached through an unoccupied room, which is secured by an iron door. From this room another iron door opens into Jesse's apartment. The circular hole in the granite was made to afford an opportunity to look into the cell without being seen.
- III. Interior View of Pomeroy's Room. The convict seems alarmed and appears to be listening intently. To allow a view of the unoccupied cell the artist represents the door between the cells as being open. The door is, however, always closed. In this room Pomeroy lives, never going outside of it.
- IV. View of the Massachusetts State Prison at Charlestown.
- V. Scene in the prison yard. Convicts marching.

CHAPTER I.

POMEROY'S CLOSE CONFINEMENT IN THE MASSACHUSETTS STATE PENAL INSTITUTIONS.

There can be no doubt that the most interesting convict in the Commonwealth of Massachusetts, if not in the whole country, is JESSE HARDING POMEROY.

He is the only convict in the United States who is absolutely consigned to a cage, and who is looked upon by the community as a veritable fiend.

For years he has been an inmate of the Massachusetts State Prison and has been a constant source of trouble and annoyance to the officers of the institution.

His history is interesting for he is a person with very marked characteristics. There are peculiar people, those with hobbies and who are often called "cranks," who are met with every day.—Some of them have a leaning toward one thing and some another. It has been said that such persons were born with these peculiarities and that they have no control over their actions when directed in the line of their characteristics. It is a question with not a few intelligent men and women whether a person should be punished for doing a thing which he or she could not help.

THE LIFE OF JESSE HARDING POMEROY.

It must be admitted that when the inclinations of an individual are such that the community is endangered it is a public duty for the proper officers to take charge of such a person.

Whatever then may be the opinion of any one in regard to the punishment inflicted on the subject of this book certain it is that the public is better satisfied and feels a greater security with Pomeroy safe behind the bars of the prison.

There are those who do not believe in solitary confinement of convicts. This statement is corroborated by a letter published by a prominent New York daily newspaper, of which the following is an abstract:

“Solitary confinement of refractory criminals in prisons or reformatories, or of the inmates of lunatic asylums, is unquestionably just and wise, but solitary confinement for a long term of years of a human being in a normal state of mind, would seem to be more in the nature of a torture worthy only of the middle ages.”

Solitary confinement, or what is in reality isolation in Pomeroy's case, to the average mind is most terrible. And yet what could be done with Pomeroy if he was allowed the privileges of the prison, the same as other convicts?

Neither the prison officials or the public would tolerate his being given an opportunity to be at large even behind the high walls of the institution. It might be possible that he would make a successful escape.

Such is the feeling in regard to this one man that mothers especially would be in a constant state of alarm from fear that he would escape and do irreparable injury to children, or that he would at the first opportunity commit another murder.

It is, therefore, desirable that this convict should continue in a condition of isolation inside the granite walls of the Massachusetts State Prison. It is far better that one individual should suffer than

THE LIFE OF JESSE HARDING POMEROY.

that the community should be placed in fear. Even the fact that he is in close confinement is not wholly satisfactory to many reputable citizens. They are not backward in expressing their belief that the Commonwealth would have been far better off had he been executed soon after the time of his conviction, rather than that the death sentence should have been commuted to close confinement for life in the state prison.

There is a limit to human endurance. It is not well to bestow too much charity on such a man as Pomeroy.

Time, as is well known, tends to soften the asperities of the human heart and often leads one to condone grievous faults. It is well, under all circumstances, to examine into the causes which lead to the condition of affairs, weigh the evidence on both sides, and award a verdict in accordance with the facts. The one-sided view taken by not a few in regard to criminals does not benefit the community, which must be protected from the evil disposed. Law must be respected.

The general condemnation of Pomeroy has, doubtless, prevented the circulation of a petition for his pardon, or to allow him some of the privileges enjoyed by the other convicts. His crimes were outrageous. Had it not been for his youth he would have paid the penalty for his offences on the scaffold.

He took a fiendish delight in tormenting and torturing boys, who were younger than himself. When asked why he did so he would reply that he could not help it. Some unknown power seized him and he was changed, almost instantly, from a boy in his teens to a devil. He loved to witness the effects of his cruel acts and would dance in glee around the victim he had selected for his horrible pleasure. These facts would have seemed impossible of belief had it not been for the testimony, which was introduced at

THE LIFE OF JESSE HARDING POMEROY.

the trial, and the admittance of its truth by the counsel for the defence.

The point which counsel sought to make was : that while Pomeroy was guilty of atrocious murder he was not responsible for his acts. That he was insane and that the jury should find him not guilty by reason of insanity. If the jury had returned such a verdict it would have been obligatory upon the supreme judicial court to have sentenced the prisoner to one of the State asylums for the insane during his natural life. Very important evidence was presented on both sides, the most expert doctors on insanity being placed on the witness stand by the defence as well as by the government.

The jury, notwithstanding the able efforts of counsel for the defence, returned a verdict of murder in the first degree. The evidence of the insanity experts was so contradictory that the jury could not well consider that the prisoner was insane although he was wanting in will power. In a few words, Pomeroy, when opportunity offered, would commit assaults, knowing at the time that he was doing wrong, and yet was not possessed of sufficient moral strength to resist the temptation. This has been the case with many criminals, but they have not been lead to commit murder, or to inflict torture. I bring to mind one man, now serving out a sentence in the Charlestown prison, this being his second term in that institution.

This man would be law-abiding so long as he abstained from the use of liquor. As soon, however, as he became intoxicated he would steal. It made no difference to him what article he purloined. He seemed to be impelled to commit a theft. When he had become sober and informed of what he had done he could

THE LIFE OF JESSE HARDING POMEROY.

give no reason why he had stolen. There are convicts in the Massachusetts State Prison, and, I doubt not, in similar institutions in other states, who steal every time a chance is offered.— They steal from each other. They love to steal ; they cannot resist the desire. Whether this desire was born in them, or acquired, I am unable to say.

It is not my intention in this history to enter into a lengthy discussion on the subject of Pomeroy's sanity. Nor is it my desire to comment on existing laws as regards the conviction and imprisonment of men and women, and children, who commit offences because they " could not help it." The legislatures of the various states are ever endeavoring to make the laws more humane. — Whether these deliberative bodies have succeeded in this direction it is for the public to judge. The community must not, however, be subjected to the evil acts of individuals, and offenders against society must be punished whether or not they were impelled to commit the acts.

I do not want to be understood as being devoid of sympathy for the convict, confined in a penal institution under a heavy sentence. I have a very warm place in my heart for this class.

Some of the convicts in the Massachusetts bastile have occupied high places of trust, but in an unguarded moment turned from the path of honesty and then, in a shorter or longer period of time, reached the state prison.

In dealing with convicts it must be kept in mind that they are human beings and should receive the sympathy and care of the State.

It is in this light that the case of Pomeroy should be viewed.

THE LIFE OF JESSE HARDING POMEROY.

He is a ward of the State and must be cared for as humanely as possible. It is well, however, that he is confined more closely than any of the other prisoners in the institution. The interests of the community are better subserved in this way. He is not likely to harm any one in his present apartments and his incarceration has not, apparently, done him much injury. Jesse must be looked upon as being situated in the best possible manner for the public and himself.

I cannot do better, in order to give the reader valuable information, than to quote from an interesting pamphlet, entitled, "Criminals," written by Dr. Charles D. Sawin, formerly physician at the Massachusetts State Prison, and who had Pomeroy under his care for five years. The learned physician said :

"For the sake of refreshing the mind of the reader we will state that Pomeroy was tried and convicted in 1874 for the murder of a little boy four years and three months old, and during this trial it was proven that he had at various times been guilty of acts of the most atrocious cruelty towards other children. As the District Attorney stated in his opening address, this child when found possessed 'a body still warm, throat cut, and some fifteen or twenty stabs in the region of the heart. * * * * * The little boy's hands were wounded more or less ; there were marks of wounds upon his arms, suggesting, perhaps, the possibility of feeble struggles to resist.'

The government charged deliberate murder with malice aforethought, and carried out with a considerable degree of atrocity and cruelty. A number of experts were called in and examined Jesse on various occasions previous to the trial. When actors disagree in their estimate of such a well-defined character as

THE LIFE OF JESSE HARDING POMEROY.

Hamlet, how is it to be wondered at that mental experts offer such divergent views concerning the responsibility for his acts of such a young boy as Pomeroy, when playing on the stage of life.

Pomeroy entered the prison, his sentence having been commuted to solitary imprisonment for life, Sept. 9, 1876, when he was seventeen years old. During a portion of his term he has been permitted many privileges and diversions, such as reading and painting. At one time he evinced a strong desire to improve his mind, and he studied French, German and Latin. His knowledge of the languages is, however, only a smattering one. Of late, he has taken a special liking to chemistry, and a slight spark of inventive genius has been manifested in his endeavors to construct a hollow self-sharpening lead pencil, in which he takes great pride. His paintings are hardly worth admiring, but he looks upon them as works of art, this fact demonstrating to the observer that his standard is not very high. Without doubt, his intellect and moral sense must have improved to a certain degree, since he has not associated with other prisoners, and he hasn't passed through any stage of 'devolution.'

His first punishment in prison was four and a half days in a dark cell, on Nov. 9, 1877, for 'trying to escape, digging cement out of a cell.'

On the average, he has received six and one-half days' punishment each year, in most cases for tampering with his cell structure in attempting to escape. He, on one occasion, was punished 'for insolence to an officer ; once 'for refusing to obey an order,' and once 'for writing an insolent letter to the warden.'

Not very serious offences these.

THE LIFE OF JESSE HARDING POMEROY.

He has never exhibited his former love to torture at any time during his incarceration in prison, which seems rather strange were he insane at the time of the murders.

He is remarkably cunning, clever, and quick to see the drift of any conversation, logical and clear in understanding, but notably self-willed and persistent. His bodily health has been remarkably good, eating and sleeping well ; seldom complaining of his diet and never asking for favors or extra rations. * *

In a recent interview, he stated that he thought his memory was very good in regard to some occurrences ; as, for instance, his life in jail and his first four years in prison, but he had no recollection of ever meeting Dr. Folsom, and only an indistinct remembrance of his trial."

According to Dr. Sawin, Pomeroy has not suffered in bodily health during his many years of close confinement. Imprisonment for a long term of years has not, in numerous instances, proven hurtful physically.

There was one convict in the Massachusetts State Prison, who was pardoned after serving thirty-five years of a life sentence. — When he left the institution he said that he had never seen a horse car and knew but little about steam railroads. He was in good health, and his eyesight was not impaired to any great extent. — He said he had never expected to leave the prison, but as he was to be a free man he would pass some time in finding out what had been going on while he had been in imprisonment.

The New York Sun recently contained the following remarkable statement : "A few weeks ago a brigand chief, Domenico Nocchia, was released from the Naples prison, after having been

THE LIFE OF JESSE HARDING POMEROY.

shut up for sixty years. He is now eighty-three. After an unusually brilliant career of brigandage and 35,000 francs had been set upon his head, he was condemned to prison for life in 1831."

It is natural to suppose that men confined in a prison would pine away and die. Such is not the case. The individual, having been apprehended, tried, convicted and sentenced to a term of imprisonment, changes the course of his existence when he enters the prison. If he has no ailment at that time, or has not an hereditary trouble, his chances for a long life are good. His mind, the great factor in the matter of his health, becomes tranquil. — He finds that a prison is not the terrible place that he had once imagined it was. He realizes that he has become a debtor to the community by reason of his having violated the law, and he begins to pay off his indebtedness. These statements are corroborated by the fact that there has rarely been a suicide, or an attempt at suicide, in the Massachusetts State Prison. I can only re-call, in twenty-five years, but one suicide and only one attempt at self-destruction.

In the first instance, there was a cause for the suicide, if there ever was a good and sufficient reason for such an act. The convict had been a prominent financier. He lived in luxury and the society of his family was courted by persons of wealth. His resources seemed unlimited. And yet there came a day when he was arrested on a charge of fraud. His conviction soon followed and in a short space of time he donned a convict's garb. He bore up grandly. He learned of the disasters to his family with comparative composure. He was told by his wife that all of their property had been seized for the satisfaction of injured parties, and that she had gone to work as a dressmaker in a not very

THE LIFE OF JESSE HARDING POMEROY.

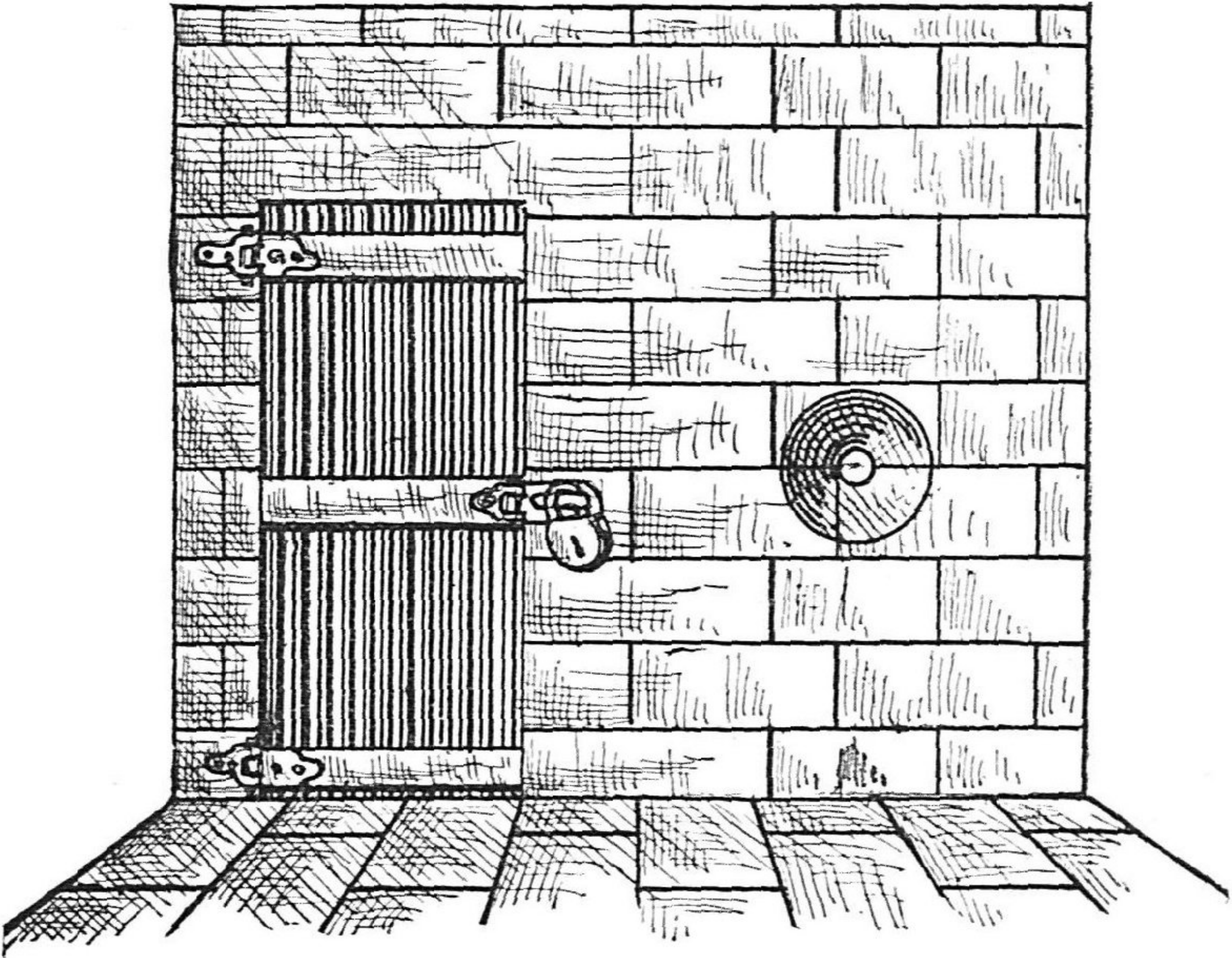
fashionable part of the city of Boston. She found no fault with him, but cheered him by words of encouragement and continued affection.

He was strengthened by her words. Her letters and visits to him made him happy, very happy, even in his prison dress and narrow cell. He knew that in time he would be a free man and that he could try and retrieve his shattered fortune by a course of honorable dealing with his fellow man. As he looked forward he could discern rifts in the dark clouds of his existence and through them he caught glimpses of the bright sunlight of joy and prosperity. He was lifted above the surroundings of a life of penal servitude. With the pictures of his dear, devoted wife, and his children, ever in his mind his pathway became less thorny and his burdens easier.

But there came a time of the greatest sorrow for this convict. His wife, unaccustomed to the hardships and deprivations of life, became ill. Sad were the moments, and very, very long were the hours during which he awaited the receipt of tidings from the bedside of her whom he loved ; whom he adored.

At last the final blow came. A female relative called at the prison to see him. He was summoned from his work into the octagon, and this relative abruptly informed him that his wife was dead.

The prisoner bowed his head and wept. In his deep anguish the visitor upbraided him for his criminal acts, which had brought him to prison. She charged him with causing the death of his wife. With bitter words she told him of the disgrace he had brought upon his family. She left him angrily.



THE LIFE OF JESSE HARDING POMEROY.

He was not aware of her departure until the officer in charge of the octagon touched him gently upon the shoulder. He looked up. He was very pale and tears continued to course down his cheeks. He returned to his place in the workshop. Although granted permission to pass the remainder of the day in his cell he declined the offer. When evening came he returned to his room. He did not take his supper from the kitchen slide. No one will ever know the bitterness of his thoughts at that time.

He had in his cell a quantity of Paris green. How it came there I could never ascertain. Here was a means of ending a life, which had become unbearable. Where could he look for consolation? Death now had no terrors for him! The narrow confines of a grave were far more desirable than the mental torture he was undergoing.

All that he had to live for had suddenly become eliminated, for his children had also passed away. The darkness of despair enveloped him.

He took the poison and it did its work, although the convict died in the greatest agony. At the autopsy the operating surgeon remarked: "He and I were school-fellows. I never thought I should stand over his remains under such sad circumstances. His life has shown what an inordinate desire for wealth may do for a man. I hope that his spirit has found rest."

The instance of an unsuccessful attempt at suicide in the Massachusetts State Prison was that of a convict, about thirty years old, who leaped from the upper corridor of the west wing. His right shoulder struck against the iron steam-piping, near the floor, and he was only slightly injured. The prisoner gave no explanation for his act.

THE LIFE OF JESSE HARDING POMEROY.

Jesse Pomeroy has never made any attempt to injure himself. He is very considerate concerning his person. If he ever did entertain a desire to commit suicide, which I think he never did, he must have been kept from attempting self-destruction by the regard he has held for his relatives. Some of them have been very faithful to him. Their words have always been those of great encouragement.

I remember, quite a number of years ago, of reading a letter sent to Jesse. In it he was told to be good and true. He was requested to study and acquire knowledge. He was assured that he would not always be a prisoner, confined as he was, but that he would be released in time and would associate with people of the world at large. He was told that some day he might occupy a high position in society. The letter showed that there was some one who loved him, notwithstanding the bitterness of the world toward him. Although his hands had been bathed in human blood there was an affection which had not been obliterated.

He has been visited by relatives whenever the regulations of the prison would admit. There can be no doubt that some of his relations have the kindest and most sympathetic feelings for him. The idea that he was insane when he committed his cruel, atrocious and murderous acts is, doubtless, entertained by them.

CHAPTER II.

AN ACCOUNT OF THE DISCOVERY OF THE BODY OF THE MURDERED MILLEN BOY.

To furnish accurate information relative to the discovery of the body of the murdered Millen boy, for the commission of which crime Pomeroy was arrested, tried and convicted ; and to show the intense feeling of the public, I have taken an account of it from the Boston Globe of Thursday, April 23, 1874. The reporter, it appears, was very careful in the presentation of the important facts. The recital of the story of the crime of nearly twenty years ago thrills the blood and arouses feelings of indignation. The reporter's story follows :

“ A murder, which, considered in view of all its horrible attending circumstances, perhaps, surpasses in cold blooded atrocity any deed of its nature ever recorded, came to light, yesterday afternoon, at 5 o'clock, by the discovery of the body of the victim on the beach of Dorchester Bay, midway between South Boston and Savin Hill. The murdered person was a boy, four and a half years old, named Horace H. Millen, whose father resides at 253 Dorchester street. The first intimation which the authorities had of the affair was when a deaf mute boy, of about fourteen years, came up to Officer Lyons of Station 9, drawing

THE LIFE OF JESSE HARDING POMEROY.

his hand across his throat and mysteriously pointing in the direction of the place mentioned.

The officer hardly knew what to make of the boy's motions, but finally concluded to follow him, and presently came upon the explanation, the corpse of a then unknown child, lying within a circle of stones piled up for a clam bake. The throat was cut from ear to ear, an ugly stab had completely put out the left eye, a deep wound had completely severed the jugular vein, and subsequent investigation exposed the horrible fact that eighteen stabs, forming a circle of about three inches diameter, about the breast, had been made with some instrument like an awl, or a remarkably slender knife blade, and that with a view to severing an artery a stab had been inflicted, penetrating the groin to a considerable depth.

The deaf-mute had been playing about the swamp and beach and having discovered the body, had hastened to inform the first officer whom he should meet.

The body was at once taken to Station 9, and by the direction of Coroner Allen was delivered to Undertaker Waterman. The news was received at the Chief's office at a little after 5 o'clock and measures were at once set on foot for the unravelling of the mystery. The first fact ascertained was that the boy's name was Millen. Information had been given at Station 6, in South Boston, that Horace H. Millen was missing. The description given of him coincided exactly with the appearance of the murdered child. The size, age, colors of hair and eyes and dress were exactly alike, and, when the coroner waited upon the bereaved parents and gave a minuter description than had previously been given, the fact was clear. The boy had not been seen

THE LIFE OF JESSE HARDING POMEROY.

since 10 o'clock in the forenoon, at which time he was at play with his mates at the corner of Dorchester and Eighth streets.—He did not come home to dinner and as the hours went by, without his making an appearance, his parents became more and more alarmed and were preparing to fear the worst when the awful tidings reached them.

This much ascertained, of course, the next question had to do with the murderer. Here there was nothing to guide the inquirer except mere guess work. It seemed to be the impression among the detectives that no person of sane mind could have committed the murder, so inhumanely cruel, so unnecessary to the execution of any intent were those horrid mutilations. A lunatic, possibly, might take delight in such barbarity, but another explanation seemed more probable. Some one recollected a horrible tragedy enacted about two years ago in Chelsea, which those, who had read at the time, must certainly re-call now. Indeed, one could hardly soon forget a crime so outrageous.

An East Boston boy was enticed from his home and taken to the seclusion of Powder Horn Hill, where he was found tied fast to a tree and cut, and stabbed, so terribly that, after the most excruciating suffering, he died within a very short time. The fiend, who perpetrated this diabolical deed, was a boy named Pomeroy, who was tried, convicted and sentenced to two years at Westboro. The similarity of the two murders was so great that it seemed almost a logical conclusion that they were the work of one and the same hand." These were the impressions which prevailed soon after the discovery of the murder.

Late at night, of the day of the commission of the crime, Sergeant Lucas and Patrolman Adams of Station 6, South Bos-

THE LIFE OF JESSE HARDING POMEROY.

ton, arrested Pomeroy and locked him up to answer to a charge of willful and deliberate murder.

The next day Detective Woods took Jesse to the warerooms of the undertaker, where had been placed the remains of the Millen boy. Jesse was put in a position so that he could look upon the body of his victim. He turned his head from the sight became pale and trembled.

Several questions were asked the prisoner, in substance, as follows :

“ Was you acquainted with this little boy ? ”

“ Yes, sir, I was,” replied Jesse.

“ Did you cause his death ? ”

“ I suppose I did, sir.”

“ How did you get the blood from the knife ; did you wash it off ? ”

“ No, sir, I kept sticking it in the mud until it was clean and there was no blood on it.”

At the conclusion of the interview Pomeroy was taken to the Suffolk County jail on Charles street, Boston, to await the action of the coroner's jury.

The preliminary inquest, commonly known as the view, was held at Undertaker Waterman's, under the supervision of Coroner Allen. The jury was composed of the following named gentlemen : William P. Wentworth, foreman, Benjamin Bracket, Byron Lord, S. D. Waugh, J. F. Pond and G. W. Downs. — The investigation revealed only what has been previously stated ; but it seemed to be the impression of the jury that the wounds

THE LIFE OF JESSE HARDING POMEROY.

about the heart were inflicted in the way of torture. The little boy's hands were badly cut, from which it was inferred that he had put them up to ward off the strokes of the knife, or other instrument, and that his tormentor had rebuked him by an occasional slashing cut. Death, it was thought, was produced by a stab in the neck, which severed the jugular vein, and that the fatal wound was, probably, not given until the murderer's cruel propensities had been completely cloyed.

The public was deeply interested in every detail of the horrible affair and anxious awaited the result of the inquest. On Tuesday evening, April 29, 1874, the following verdict was rendered by the coroner's jury :

“ That the said Horace Holden Millen came to his death between 11 o'clock in the forenoon and 5 o'clock in the afternoon of Wednesday, the 22d of April, 1874, from loss of blood and injuries received in the neck and chest, which injuries were produced by some sharp, or cutting, instrument.

And the jury further find, upon the testimony before them, that they have probable cause to believe that said murder was committed by one Jesse Harding Pomeroy.

The verdict was very warmly endorsed by the public.

It should be stated that at the inquest Pomeroy accounted for his whereabouts on the day of the murder. He said he had never seen the Millen boy until he was brought before the body. He also denied that he had made a confession.

Meanwhile the funeral of the murdered boy had taken place. Rev. Mr. Rand officiated. The remains were taken to Wiscasset, Maine, and buried. The fellow-workmen of Mr. Millen gave

THE LIFE OF JESSE HARDING POMEROY.

him a purse of \$50 and the officers attached to Station 6, South Boston, presented the grief stricken parents with \$150 in money.

An attendant at the inquest thus described Pomeroy :

“ He sat quite unmoved in his chair, telling his story without embarrassment. He is a boy a little more than five feet high, slim, straight, and when standing with his face averted presents a very good appearance. It is his face that tells the story of his life. To one who has studied the human countenance, a glance is sufficient. He sees in a moment how it was possible for him to perpetrate the outrages for which he was first taken into custody, and can readily believe him guilty of the horrible murder of which he is now charged. The cast of the right eye has nothing to do with this impression. They are wicked eyes, sullenly, brutishly wicked eyes, and as in moments of wandering thought the boy looks out of them he seems one, who could delight in the writhings of his helpless victims beneath the stab of the knife, the puncture of the awl, or the prick of the pin, as he so often has delighted.

There is nothing interesting in the look. It is altogether unsympathetic, merciless. But more than all the rest is the sensuality that hangs like lead about those sunken eyes, and that marks every feature and contour of the face. The pallor of his complexion, the lifeless, flabby look that pertains to his cheeks, correspond with this view ; and when the boy walks it is not the bold, bouyant movement of an innocent lad, but apparently the shuffling of one whose thoughts are of the lowest kind.”

On Saturday, April 27, 1874, Pomeroy was brought before the Highland District Court, Boston, and charged with the mur-

THE LIFE OF JESSE HARDING POMEROY.

der of the Millen boy. He pleaded not guilty and was committed to jail without bail till the next Friday, May 1, to await the result of the inquest. When he next appeared in the lower court he waived examination and was again committed to jail ; this time to await the Grand Jury. This body returned a bill of willful murder against him. His next hearing was before the Supreme Judicial Court of Massachusetts.

CHAPTER III.

FINDING OF THE HIDDEN REMAINS OF KATIE CURRAN IN A CELLAR IN SOUTH BOSTON.

While the excitement was at its height in regard to the brutal murder of the Millen boy there were many inquiries in relation to the whereabouts of a little girl, named Katie Curran, who had been missing for some length of time. Search was made almost everywhere for the child, but without success.

The state of the public mind can, therefore, be better imagined than described, when the announcement was made that the decomposed remains of a child had been discovered in the cellar of the store occupied by the Pomeroy's in South Boston.

Immense crowds quickly congregated in the vicinity of the store. Had not the people had that respect for law and order characteristic of New England, Judge Lynch would, undoubtedly, have held high carnival at the time.

As it was, the police, fearing an uprising of the populace, took into custody the mother and her son, Charles, in order that the temptation for lynching one or both might be removed.—Crowds gathered about Station 6, South Boston, and it was some time before quietness was restored.

THE LIFE OF JESSE HARDING POMEROY.

By the kindness of the genial and popular editor of the South Boston Inquirer, Mr. Charles L. Storrs, I was granted the privilege of consulting the files of his interesting weekly newspaper. From that publication I quoted the following account of the finding of the body of the little Curran girl, the date being July 20, 1874 :

“ Last Saturday afternoon the community was startled and shocked by the information that the body of Katie Curran, who has been missing since March 18, had been found in a cellar in Broadway. The scene of the terrible tragedy and the horrible revelation was the premises 327 Broadway.

The remains were discovered in a corner of the cellar, in a sort of recess made by a water closet and the foundation wall.

The body was partially covered with ashes and stones, and was found by a workman, who was employed in removing the wall. The remains were in such a state of decay as to prevent identification.

Word having been sent to the police station, Officer Adams, who came up with Officer Foote, recognized some of the clothing as belonging to Katie Curran.

Coroner Ingalls and Undertaker Cole were called in and the parents of the child were sent for.

Mrs. Curran at once recognized the clothing as being that of her Katie when she was missed.

Chief of Police Savage was sent for and on his arrival he immediately ordered the arrest of Mrs. Pomeroy and her son, Charles. Officer Adams took Mrs. Pomeroy to the station and Charles was arrested later by Officers Mountain and Deveney,

THE LIFE OF JESSE HARDING POMEROY.

upon his return from carrying his evening papers. Both were taken to the station, partly as important witnesses and partly to protect them from violence by enraged and threatening people."

By direction of Coroner Ingalls, Constable Rockwood summoned as a jury Messrs. I. T. Campbell, James Malcom, Thomas Gogin, Bernard Jenney, Charles H. Hersey and E. H. Gill.

Sunday forenoon the Coroner and jury visited the premises and viewed the remains, which had been taken to the City Point tomb. The next day, Monday, in the afternoon, witnesses were heard.

The witnesses heard at the inquest were :

Mrs. Kate Curran.

Mr. John Curran.

Chief of Police Savage.

Mrs. Ruth Ann Pomeroy, then 33 years old.

Master Charles J. Pomeroy, brother of Jesse.

Sergeant Hood of Station 9.

Miss Emma Lee, 6 years old.

Special Officer Edward Mitchell, on duty on Chester Square.

Sergeant Emerson, and Officers Thomas H. Adams, Asel B. Griggs and Dennis Mountain, all of Station 6.

Miss Minnie Chapman, a girl who lived with Mrs. Pomeroy.

Messrs. Charles McGinnis, John B. Margeson, John Foote, Thomas Murphy, James Nash, Thomas Tobin and William B. Rohr ; and Mrs. W. E. Margeson and Miss Margaret Lane.

Most of the evidence was to the effect that the Curran girl was missed on a certain day and had not been seen alive since

THE LIFE OF JESSE HARDING POMEROY.

that time. The clothing, found on the body of the deceased, was identified as that worn by the child on the day she was missed.

There was very important evidence given by Chief of Police Savage, which was of such a positive character the murder of the Curran girl was traced directly to Jesse, and he, in addition to circumstantial evidence, admitted committing the deed and described how it was done.

The following excerpts from the testimony given at the inquest are interesting :

Chief Savage testified that after the arrest of Pomeroy some trivial circumstances came to his knowledge, which led him to instruct the captains of all the stations to search every cellar, well and by-way in their districts where there was even the remotest possibility that the body of the girl might be concealed.

He said that he gave special instructions to Captain Dyer to search the cellar of the Pomeroy's ; and upon Captain Dyer informing him that his orders had been obeyed the Chief said he became satisfied.

The Chief stated that he was in South Boston after the body was discovered. He found the feeling so strong against Mrs. Pomeroy that he deemed it advisable to order her to be taken into custody.

He also said that he had interviewed Pomeroy at Charles Street jail after the finding of the remains of the Curran girl. — At the interview the following dialogue ensued :

Chief. — “ Jesse, do you know me ? ”

Pomeroy. — “ Yes, sir.”

Chief. — “ What do you suppose I came to see you about ? ”

THE LIFE OF JESSE HARDING POMEROY.

Pomeroy. — “ To talk about that case.”

Chief. — “ What case ? ”

Pomeroy. — “ The case of the little boy.”

Chief. — “ No ; I came to tell you that Katie Curran has been found buried in your mother's cellar. Your mother and brother have been arrested for the murder. Can you tell anything about it ? ”

Pomeroy hesitated, choked and replied, “ No.”

The Chief said he made another visit when Jesse said : “ Mr. Savage, I killed her but don't want tell how.”

After some additional conversation with the prisoner Chief Savage was agreeably surprised to find that Jesse would make a full confession of his horrible murder of the innocent little Curran girl.

Pomeroy at once proceeded to make a rough plan of the cellar, where the body was found. He then began the narration of a story, which illustrated his extreme disregard for human life. His confession was in substance as follow :

“ I opened mother's store the day of the murder at about 7.30 o'clock. The girl came in for a paper. I told her there was a store down stairs. She went down to about the middle of the cellar and stood facing Broadway. I followed her. I put my arm around her neck, my hand over her mouth, and with my knife cut her throat, holding the knife in my right hand. I then dragged her behind the water closet, laying her head furthest up the place, and I put some stones and ashes on the body. I took the ashes from a box in the cellar. I sent a boy into Hoyt & Lawrence's store, near by, and bought a knife for 25 cents. The

THE LIFE OF JESSE HARDING POMEROY.

knife was taken from me when I was arrested in April last. When I was in the cellar I heard my brother at the outside door, which I had locked after the girl came in. I ran up the stairs and saw him going towards the cellar in Mitchell's part. He came back when he saw me. Two girls worked in the store for my mother. They usually got there about 9 o'clock in the morning. Mother got there later. Brother Charles and I took turns in opening the store till about April. My brother and mother never knew of this affair. I forgot to tell you that I washed my hands and knife, they being bloody, at the water pipe."

The evidence presented by Chief Savage was of itself sufficient to warrant the jury in returning a verdict charging the murder to Pomeroy. Other testimony was taken so that the investigation might be full and complete.

The inquest lasted several days. When all the testimony had been taken the jury, after considering the evidence, rendered a verdict as follows :

"That Katie M. Curran came to her death on or about the 18th of March, 1874, at 327 Broadway, South Boston, by the hands of Jesse H. Pomeroy. He has acknowledged the crime, and all the evidence corroborates the statement.

The jury also find that either before or after the commission of the murder the girl's person was mutilated with a knife or some sharp instrument."

It was the circumstances attending the finding of the remains of the Curran girl which led to the resignation of Captain Dyer of Station 6. It will be noted that in his testimony at the Coroner's inquest Chief Savage stated that he gave special instruc-

THE LIFE OF JESSE HARDING POMEROY.

tions to that officer in regard to searching for the missing girl. The cellar was said to have been searched, and Chief Savage was given to understand that fact and also that the missing girl had not been found. When the body was discovered the Captain left the station in charge of a lieutenant, because, it was stated, he had not the heart to look upon the scene of the murder.

Captain Dyer was summoned before Mayor Cobb of Boston and with few preliminaries the officer handed in his resignation.

CHAPTER IV.

THE TRIAL OF POMEROY FOR THE WILLFUL MURDER OF THE LITTLE MILLEN BOY.

On Tuesday, Dec. 12, 1874, Pomeroy was placed at the bar of the Supreme Judicial Court of Massachusetts to be tried for his life.

The clerk of the court read the indictment, charging him with the murder of the Millen boy.

Pomeroy pleaded not guilty.

Joseph H. Cotton, Esq., at present Associate Justice of the Municipal Court for the Charlestown District, had been counsel for the defence.

When the case came to trial it was conducted by Hon. Charles Robinson, Jr., whose efforts in behalf of his client were characteristic of the able lawyer. He devoted his best energies to save Pomeroy from an ignominious death upon the scaffold.

The trial excited more than ordinary interest even in murder cases. The court room was crowded from day to day and the testimony was carefully noted.

THE LIFE OF JESSE HARDING POMEROY.

After a jury had been selected District Attorney May delivered the opening argument as follows :

“ May it please the Court and you, Gentlemen of the Jury : The prisoner at the bar, Jesse Harding Pomeroy, stands indicted, as you have just heard, for the murder of Horace H. Millen.

Murder, gentlemen, according to the definition which formerly prevailed, was an intentional killing of a fellow being. Malice aforethought was and is the first element in murder ; but as the experience of men became enlarged and, perhaps, the spirit of christianity modified somewhat by the civilization of the times it was found that there were degrees of depravity even in murder itself.

Formerly the killing of a man intentionally was considered even in its least aggravated form as justly forfeiting the right of the murderer to live. But a more humane view has been taken of that and the law now, both in this State and in most other civilized communities, has established certain grades even in the crime of murder.

It is obvious, gentlemen, that the man who goes deliberately about the murder of his fellow man for gain, for instance, and uses violent means, discovers a more deliberate malice than the man, who, in a passion, suddenly, though unintentionally, kills his fellow man, after more or less provocation.

In this State, gentlemen, the law has defined murder to be of two degrees : murder committed with deliberately premeditated malice aforethought, or in the commission, or attempt to commit any crime punishable with death, or imprisonment for life, or committed with extreme atrocity or cruelty, is murder in the first

THE LIFE OF JESSE HARDING POMEROY.

degree. Murder not appearing to be in the first degree is murder in the second degree. The degree of murder shall be found by the jury.

According to the view, gentlemen, which the Commonwealth takes of the evidence in this case it will not be necessary for me to detain you a moment with any observations upon the law of homicide under circumstances which reduce the grade below that of murder.

The facts in this case, gentleman, are briefly : that on the second day of April last the body of a boy, an infant I might call him, four years and three months old, — three months and a few days, — was found upon the marsh that lies intervening between the promontory of Saven Hill in Dorchester. It is in what is known by those who have lived in that section of the city as “ the Cow Pasture,” a large tract of marsh land lying east of the Old Colony railroad and Dorchester Avenue and stretching away nearly east for a mile to the water. About half-way down that marsh, about two thousand feet in a straight line from Crescent Avenue station on the Old Colony railroad, and but a few feet from the water’s edge, the body of this little boy was found, while it was yet warm, with the throat cut, some fifteen or twenty stabs in the region of the heart and mutilated

* * * * *

The little boy’s hands were also wounded, more or less. — There were marks of wounds upon his arms, suggesting, perhaps, the possibility of feeble struggles to resist. This body was found by another boy, who had been down there, I think, clamming with his brother, and it was found about 3 o’clock, if I remember

THE LIFE OF JESSE HARDING POMEROY.

right. Upon discovering this body the little boy, Powers, looked away up the marsh towards the railroad and saw two men, one of whom had a gun. He immediately went to that man, told him what he had found and requested him to go with him to the place. That man, accompanied by his friend, who was with him, — he had been out shooting at a mark within a very short time there — then accompanied him to the spot and there found what I have already described.

He despatched messengers hither and thither for police officers and remained there until the police officers came. After the police officers came the body was taken to the Crescent Avenue station, off the marsh, then to Police Station 9 in Roxbury, and thence to the undertaker's.

After an inquest had been held the body was returned to the parents, who meanwhile had been found. The parents of this boy, Millen, had not resided long in South Boston ; but a few days, I think, certainly but a few weeks.

On the morning of the day when this boy disappeared he was at play in the neighborhood of his father's, about the steps — there was, I think, a flight of steps on the corner of Eighth Street and Dorchester Avenue — where children were accustomed to go, and he was seen about the steps.

The last that his mother saw of him was about half-past 10 o'clock. She was, I believe, engaged that day in washing, or was quite busy. He had been out to play and would occasionally run up to the house to speak to his mother and then run off. The last time she saw him was about half-past 10 o'clock, when she gave him a penny to go the baker's and buy him a cake. He



THE LIFE OF JESSE HARDING POMEROY.

was seen afterwards between half-past 10 o'clock and half-past 11.

There will be amongst the witnesses some discrepancy as to the time, because the time was not noticed then there being no occasion to notice it carefully. But from half-past 10 to half-past 11 o'clock he was seen in that neighborhood by several people accompanied by a larger boy, whom the government expect the evidence will satisfy you was the defendant at the bar.

Subsequently to that time they were seen together on the Old Colony railroad from a quarter to half-a-mile distant from this boy's house — the Millen boy's house — going towards McKay's wharf, which lies just at the edge of this cow pasture, or marsh. That was not far from 12 o'clock, and not far also from 12 o'clock the two were seen together, apparently having gone down on McKay's wharf, crossed a bridge, which leads from that over the creek to the boat house, which is upon the shore, and jumped off from this bridge on to the marsh.

Having jumped off from this bridge upon the marsh they proceeded down till they came to a creek, which they passed, or went around, I am not certain which. Then they came to a ditch, when the Pomeroy boy lifted the Millen boy over. At this creek they were met by another boy, who was coming off, who had been down where they were digging clams and was coming off the marsh. Then it was not five minutes from 12 o'clock — just after 12 o'clock.

The Pomeroy boy spoke to this boy, who was coming off, and enquired what the men were shooting down on the marsh. He received a reply and then went on with the Millen boy, leading him by the left hand. As I have said just now, when they came to the ditch he was seen to lift the Millen boy over and set

THE LIFE OF JESSE HARDING POMEROY.

him down. Then they proceeded, side by side, down the marsh. He was not seen again by that witness. It will be shown to you, gentlemen, that the tracks, which were made both by the Millen boy and by the Pomeroy boy when they jumped from the bridge on to the marsh, correspond exactly to the boots worn by the respective boys.

The body was found some fifty feet, I think, across the creek, half-way down the marsh, on the South Boston side. There were about there many footsteps, because divers parties had visited the scene ; four men and some boys certainly, perhaps five, before any particular examination was made.

Upon a careful examination it was found that at the nearest practicable point of crossing that creek, on returning towards Boston, there were footsteps. We shall show you that similar tracks were found from that point leading towards the point where the body was found, here and there, of course, there being a difference in the impression made according to the varying hardness, or softness, of the marsh, and according as it was covered with sand, or covered with grass, as it was in different places.

There were plain indications of two sets of tracks, large ones and small ones, having the same relations to each other ; that is : the small ones were on the left side of the larger, and at divers points corresponding exactly with the boots, which were worn by the respective boys.

There were footsteps, corresponding exactly, upon application being made with the boots which were worn by the Pomeroy boy, and from point to point along the curve of the marsh these

THE LIFE OF JESSE HARDING POMEROY.

tracks could be traced until, forced by another creek he passed around it and crossed the track by which he went down to the place where the body was found.

We shall show you, gentlemen, that a boy corresponding in size and appearance and in dress, so far as those were observed, was seen about 1 o'clock running off the marsh in the direction, which those foot prints indicate, towards the Old Colony railroad and frequently looking behind as if pursued.

The Pomeroy boy resided in South Boston, on Broadway, not far from the place where the Millen family resided.

These are the main facts, gentlemen, which the Commonwealth will produce to you upon this line of the prosecution.

The Commonwealth will also introduce to you another and a distinct species of evidence. That is confession ! And they have been somewhat embarrassed in determining whether they would not rely upon the confession alone without going into the details of a murder attended by such atrocity. But upon the whole it was thought the prudent and the better course to present to you, substantially, everything that was known by the Commonwealth about the matter. And it is with that view that I have detailed to you the evidence which the Commonwealth believes will satisfy you that Horace H. Millen was murdered by Jesse Harding Pomeroy.

You will now see, gentlemen, the reason why I did not feel it my duty to address you at all upon the grade of homicide less than murder. The Commonwealth cannot conceive that there can be any doubt that, whatever else may be thought about this transaction, there can be no doubt that it was a murder with

THE LIFE OF JESSE HARDING POMEROY.

deliberately premeditated malice aforethought ; and that it was a murder attended by such circumstances of atrocity and cruelty as to bring it unquestionably within the definition of the statute constituting murder in the first degree.

My duty, gentlemen, is substantially performed, having thus stated to you the facts which the Commonwealth expect to prove and the law upon which they rest their case.

I know, gentlemen, that I need not say that you occupy a responsible position. I know I need not say to you that the safety and the stability of society practically rests in your hands.

Every one of us has yielded his right of personal and private vengeance to the society, which has taken that right in trust and which has promised to protect all from the unlawful acts of such members of society as may not be restrained and controlled by law.

And it is because that right has been yielded that we live in a community, where life and property are regarded as safe, since the tribunals have been of such a character that they have discharged fearlessly their duty in the protection of the public.

I shall not, gentlemen, take up your time with any other observations. The Commonwealth has no interest in stimulating you to do anything which is not necessary for the public safety. The Commonwealth can have no possible object in the conviction of an innocent person ; but the Commonwealth, represented here by its prosecuting officers, is bound to carry out in good faith, for the protection of the innocent and the

THE LIFE OF JESSE HARDING POMEROY.

law-abiding, the trust which is imposed upon them, and which they have accepted, of protecting those who have yielded their own right of self-defence.”

CHAPTER V.

THE MOST REMARKABLE CASE IN THE HISTORY OF CRIME OR CRIMINAL LAW.

Hon. Charles Robinson, Jr., made the opening argument for the defence.

In addressing the jury he said he feared "that Jesse did kill the boy."

He stated that the crime was committed April 22, 1874, and that Jesse at that time was fourteen years and five months old. "An age," said the counsel, "when, the law says, he can be held for the crime. It is the most remarkable case in the history of crime, or criminal law."

The lawyer proceeded and stated that at one time Jesse ill-treated a cat, which was seen to run away from him, with eyes glaring, showing that it had been in pain.

In the Winthrop school, in Charlestown, in 1871, he made faces in school. The teacher said that at times it was utterly impossible to make him understand. When reprimanded he would say, "I could not help it." He thought it very unjust if he was punished.

THE LIFE OF JESSE HARDING POMEROY.

Continuing, Mr. Robinson said : “ After that, I think, in December, 1871, was the first time that this boy departed from anything so very unusual when he commenced a career, which is certainly unknown before ; unparalled, I think, in the treatment of other boys. Undoubtedly you may have heard of it.

I propose to put in the facts in the case as they came to my knowledge.

I find that as early as December, 1871, while he was living in Charlestown, he goes over to Chelsea and takes a strange boy with him up to the top of Powder Horn Hill, some two or three miles from where this boy lived, and entirely out of his duty, calling or business, took the boy up there, a stranger, and strips the young child, I think that follows in every case, whips the child somewhat, and made him go through certain acts before him and then told him to go home.

In February, 1872, another act of this kind occurred. The boy goes from his home, unknown to his parents, and finds a boy over in Chelsea, a stranger to him, and takes him up to the top of Powder Horn Hill and there goes through similar actions with him. I think that was in the winter. He was put up there in some ice. He whipped the boy some, and stuck some pins in him and went through a general performance.

I cannot detail each one to you.

Here in July, again, he took another boy, a Chelsea boy, he still living in Charlestown ; for he went from Charlestown to Chelsea ; he did not seem to go to any other place. He took that boy up to Powder Horn Hill and went through the same series with him. I do not mean to say precisely the same things,

THE LIFE OF JESSE HARDING POMEROY.

but substantially ; whipping the boy more or less, taking off his clothes and making him get upon a stone and dance. In one instance he made the boy say ' the Lord's Prayer.'

Here were three of them at Chelsea.

About the first of August the family removed to South Boston. He had been there but a short time before he commenced the same thing there with the boys, who were utter strangers.

On the 17th day of August he took a strange boy out near these marshes, where the Millen boy was killed, and there he goes through the same performances with this boy ; whips him, strips him and makes him say things and dances around him.

The next transaction was on the 8th day of September, 1872, when he takes another boy. He whipped them all, and made them take off their clothes and went through these various performances.

On September 11, three days afterwards, he took another one of these boys, who were utter strangers to him, and he to them, out near the same place on the marsh. The four South Boston boys all went out to the marsh. He went through the same performance and took out a large knife, which he seemed to have carried in a pocket in his coat. I understand it was a sort of old butcher's knife, which was used about the house, or was used for carving. This boy was the first one that was cut seriously. He was cut on the head. I have the boy here. As I understand he danced around him, and while the blood was on the knife and running from it, he sat and laughed to see the blood dripping-off.

Again, on the 17th six days afterwards, he takes another boy, an entire stranger, out and ties him down to a telegraph

THE LIFE OF JESSE HARDING POMEROY.

post, near the bridge there, out in that vicinity and whipped him some.

These matters, of course, you will, probably, remember, as I do, were more or less exciting to the community as to who was causing these acts. Subsequently, on the 20th day of September, he was arrested as the party who was troubling the children."

Counsel stated that he pleaded guilty and was sent to the State Reform School. There was no proof against him except the statements of small boys. There was some doubt of his guilt in the community.

At the Reform School he attempted to use a knife but was discovered by a teacher.

When discovered he said he was not going to do anything.

At one time a snake was killed in the road. When Jesse saw the blood he seemed to want to kill the snake again. It was with great difficulty that he was got away.

After that he behaved well and was discharged from the school. He said he would never do a wrong thing again.

Counsel continued : "The first transaction after he came out, which I shall put in proof, is a transaction prior in date to this murder. This transaction occurred on the 22d day of April. On the 8th day of March, I understand, he did on that day kill the Curran girl and under circumstances like these :

That Jesse, by his mother's request or general direction, went to open her store. She kept a small place, being a dress-maker and supporting the family by means of a store and her labor. She sent him there to open the store. He had another brother, an elder brother, who sold papers. He went there at

THE LIFE OF JESSE HARDING POMEROY.

half-past 8 o'clock in the morning to open this store and while he was there engaged in sweeping it out the Curran girl came in. She was an entire stranger to him and he to her and before her coming in there he did not know there was a Curran girl in the world. She came in by direction of her mother to purchase an article of some kind.

Instantly the thought came to him and he told her to go into the cellar, and then within three minutes from the time the girl went into that cellar, or store, she was dead !

She went and asked for some article. He told her it was down stairs. She went down and he immediately locked the front door. As I understand, she stepped down and stood right in the centre of the place below, facing Broadway. He stepped up behind her and in an instant cut her throat.

It was done in an instant !

She died quite suddenly, without any great struggle.

He then took her and drew her on one side and covered her over with some few things, and left her. She was missed, but no suspicion was aroused as to where she was and no tidings could be got where she went to.

The next transaction was this transaction, of which you have heard today.

These are the particular transactions connected with this boy.

I understand the boy to say, since these matters came out, that he cannot control himself ; that if he was out, that is, if he was at liberty, he might do nothing, yet, on the other hand, if the opportunity arose he could not resist even if it was your boy or mine. As I once put the question : — ‘ If it was my little boy

THE LIFE OF JESSE HARDING POMEROY.

and I should leave him there would he be safe ?' He said, ' No.' He should not mean to do anything, but it did not make any odds whose boy it was. If this feeling came up, which he cannot control, and which, he says, is irresistible, he would do these things again.

Those are the acts with which the boy has been connected, something exceedingly remarkable.

From the evidence that I get in the case and what I shall be able to offer to you, I think that I shall satisfy you that this boy has an original defect, or want of capacity ; that there is something wanting in him, has always been wanting in him, and that there is not a power in him by which he can control his actions, or control these impulses, when these impulses come over him.

I have not been able to ascertain any motive why he does these acts. I have failed yet to discover any motive. I propose to put all these facts in regard to this boy before you and present this case with a full statement upon every fact bearing and touching upon this boy because I feel like this : I feel that in one respect this boy cannot go out safely. We all feel that it would not be safe to the community to have him at large.

In my neighborhood, where I have my children, I would move, because there is no more safety with that boy around than there is with powder and fire in close proximity. Therefore I have got this offer : I shall offer some evidence about these peculiarities. I think there is an original want of capacity. I also think there is evidenced here that there is a sort of mental disease, which affects him, and that these acts are the acts of disease as well as of an original want of capacity, and that upon no other theory can you intelligently account for his case.

THE LIFE OF JESSE HARDING POMEROY.

Gentlemen : you perceive that there are some nine instances, seven instances of cutting and torturing boys ; a confinement of sixteen months in the State Reform School ; a discharge from there ; and then a little more than two months from the time of his discharge from the State Reform School he kills two children. As I understand the case, if he had had an opportunity within the last six months he might have killed six more.

Now, upon that matter, of course, you will understand by what I have said the view I take of the case. I take this view of the case : that this boy has not the capacity, either by a want of having it originally, or by being born with evil powers, or by reason of disease, he is not a being responsible. In other words it comes within the language of the statute that he is an insane person and insanity may be there. It is a term which is broad, the term insanity ; yet the statute has defined it as follows :

‘The word insane person, or lunatic, shall include every idiot, non compos, or insane, distracted person.’

I suppose I may also say that the term insane means also a person who is of unsound mind. That if he is deficient in that power by which he is able to control himself ; if he has not the power to withstand. This boy understands what is wrong and what is right. He understands, sometimes, if he does an act that he is liable to be punished for it. And yet, notwithstanding this, and although he was in school and learned somewhat rapidly ; and from the statement, which he wrote and which was read ; he has some capacity in that direction.

Nevertheless there is this element in him, by which he cannot control himself at certain times, therefore, I shall present this

THE LIFE OF JESSE HARDING POMEROY.

case to you as an act committed by him ; by a being, who was not reponsible at the time, and, then, if he was not responsible at the time, he is not within the statute, which I read, guilty of murder in the first or second degree ; but that he is a person, who is not guilty by reason of insanity.

The legislature has passed a law to meet just such a case. — The law reads :

‘ When a person indicted for murder, or manslaughter, is acquitted by the jury by reason of insanity the court shall order such person to be committed to one of the State Lunatic hospitals during his natural life.’

I take it that this boy is of this class and upon the evidence which I shall present to you when I come to present my view of the matter, after hearing the evidence, to take that view of the case. The law provides then how this boy shall be taken care of and where he shall have restraint.

I believe I have stated the facts in this matter and all that is necessary is to call my witnesses to give their evidence.”

CHAPTER VI.

THE TRIAL RESULTS IN THE CONVICTION OF POMEROY OF MURDER IN THE FIRST DEGREE.

As would naturally be expected there was a large number of witnesses examined during the trial.

The statements made by the District Attorney in his opening argument were corroborated by witnesses so that, notwithstanding the admissions made by counsel for the defence, the government presented to the jury its case in full.

The defence did not attempt to show that Pomeroy was not the person, who had brutally murdered the Millen boy, but endeavored to show that the defendant was not responsible for his acts, as indicated in the able argument of Mr. Robinson given in the preceding chapter.

Perhaps the most interesting witness was Mrs. Pomeroy, the mother of the prisoner, who testified that the defendant was born on Nov. 29, 1859, in Charlestown. She stated that three or four months after his birth he had a disease of the skin and that there was an ulcer on one of his eyes.

She said he had strange dreams, which he honestly believed were actual facts.

THE LIFE OF JESSE HARDING POMEROY.

He attended a Sunday school at a mission in Charlestown, presided over by Rev. Mr. Barnard. She said that Jesse often read the Scriptures to her.

She stated that Jesse had been an inmate of the Reform School and that she worked hard to get him released. She was very glad when it was accomplished.

She said Jesse was a bright scholar.

Among the other witnesses, who testified, were the police, who were interested in the arrest of Pomeroy, and medical experts on the subject of insanity.

As there always has been, and, doubtless, always will be, a decided difference of opinion on the question of insanity, in criminal trials especially, I have omitted giving a lengthy report of such testimony in this case.

When one considers the fact that not a few medical men of repute believe that crime of all grades is the result of insanity, it can be readily seen that there was not wanting in Pomeroy's case evidence tending to show that he was not responsible for his acts.

The evidence being all in, then came the closing arguments.

Mr. Robinson spoke for the prisoner, claiming that insanity had been proven.

Hon. Charles R. Train, attorney general of Massachusetts, made the argument for the government, stating that their case had been made out in every particular.

Chief Justice Gray delivered the charge to the jury.

When the jury returned the foreman stated, in answer to the

THE LIFE OF JESSE HARDING POMEROY.

customary questions, that a verdict had been agreed upon and that the prisoner had been found guilty of murder in the first degree.

Jesse was apparently unmoved when he heard the foreman announce the verdict.

Chief Justice Gray stated that he had received two documents from the jury ; one, recounting the atrocity of the crime, and the other, recommending that the sentence be commuted to life imprisonment.

Exceptions were filed by Mr. Robinson and argued by him. They were opposed by Attorney General Train.

The exceptions were that Pomeroy was insane and that certain medical witnesses had not been allowed to be fully heard. The court took the matter under consideration.

The court finally overruled the exceptions.

Counsel for the condemned boy did not stop in his efforts to save him from death upon the scaffold. Mr. Robinson said, " I must save the life of that boy."

There was no doubt that he firmly believed that Pomeroy was insane.

The next step taken in behalf of the condemned was an appeal to His Excellency, the Governor of the Commonwealth of Massachusetts. Hon. William Gaston occupied that position at the time. The last of March, 1875, a hearing was held before the Governor and Council.

Mr. Robinson asked that the sentence of death be commuted to imprisonment for life.

THE LIFE OF JESSE HARDING POMEROY.

The prosecution was strongly opposed to such action and called for the execution of Pomeroy in accordance with law.

No definite action was taken by the Governor and Council at the time.

Interest in Pomeroy continued unabated and resulted in a public hearing being called before the Governor and Council.

This meeting was held about the middle of April, 1875. Governor Gaston and the full Council were present.

A numerous signed petition was presented, asking that executive clemency be extended to Pomeroy.

The petitioners were represented by Hon. Charles Robinson, Jr., and Rev. W. H. H. Murray. The remonstrants were represented by Mr. Paul West.

Dr. Norton Folsom, superintendent of the Massachusetts hospital, and Dr. Walker, superintendent of the South Boston Insane Asylum, stated that they believed that Pomeroy was morally and mentally insane.

Judge Dwight Foster expressed the opinion that the wretched boy should be kept in close confinement for life. "He came into this world," said the Judge, "with a propensity to commit terrible acts and he should not be put out of it by the gravest act of law."

Judge Thomas said the boy was born with a congenital weakness and was not morally responsible for his acts. He also said that Pomeroy was a dangerous person and should not be at large.

Rev. Mr. Murray strongly urged the granting of the request of the petitioners.

THE LIFE OF JESSE HARDING POMEROY.

Mr. West presented a petition in opposition to a commutation of sentence.

Col. Henry H. Wilson spoke in behalf of the ladies, who had signed the remonstrance. He said : "I see nothing that calls for mercy in this case, but only a piling up of barbarous crimes, which should not be mistaken for symptoms of insanity."

Mr. Robinson closed the hearing, speaking at length on the mental condition of his client.

The Governor and Council again took the subject under consideration.

Meanwhile Pomeroy remained an inmate of the Charles Street jail in Boston.

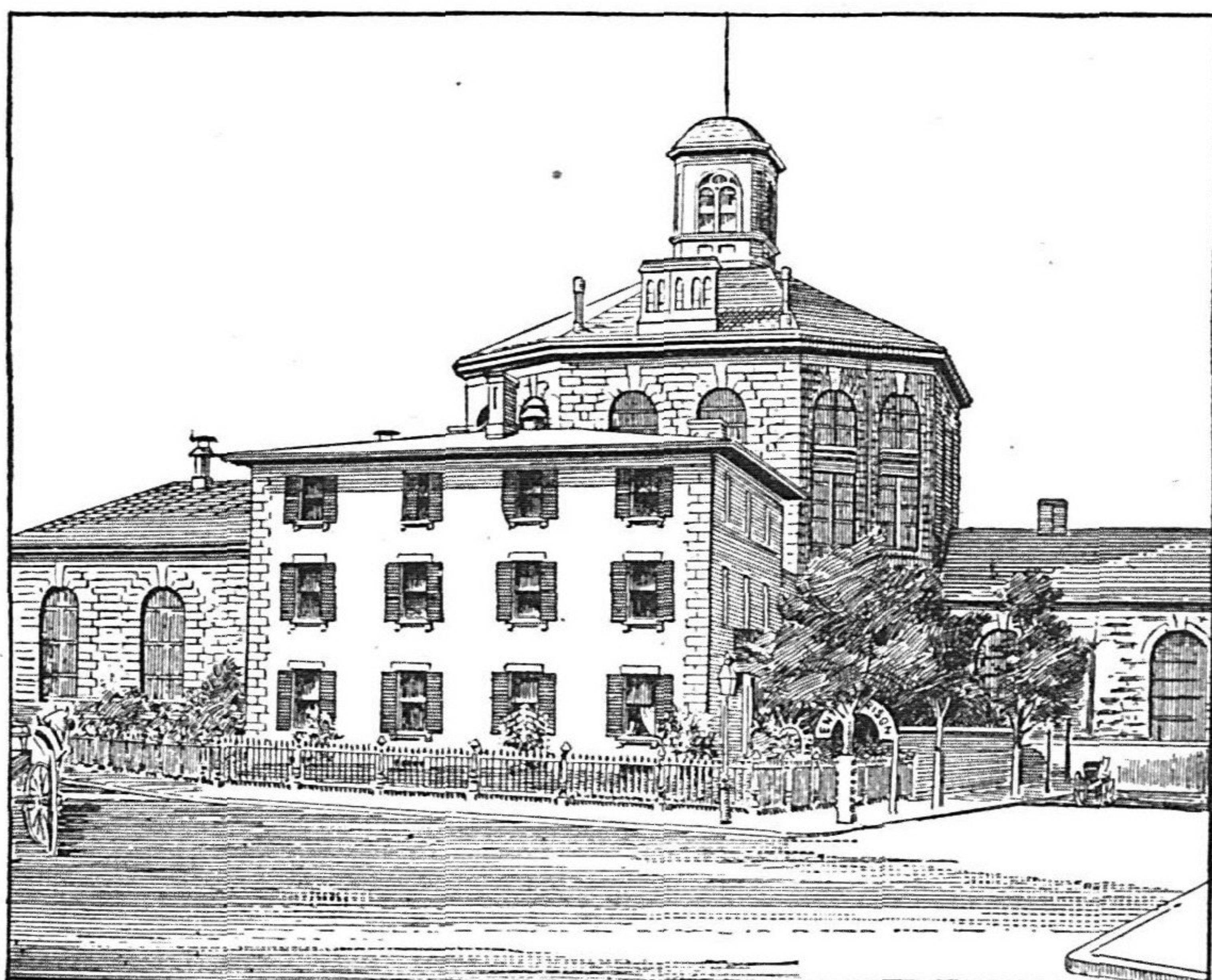
The Governor would not issue the death warrant, and, consequently, the execution could not take place.

The much discussed question of what to do with the murderer remained undecided until Sept. 2, 1876, when Governor Rice, who had succeeded Governor Gaston, and his council, by a vote of six to three, commuted Pomeroy's sentence to close confinement for life in the Massachusetts State Prison.

This was the first and only vote taken by the Council. The reason given by the majority for their action was the recommendation of the Pomeroy jury.

Soon after decided action had been taken in this case the law was changed in regard to executions in Massachusetts, making it obligatory upon the Court, and not the Governor, to set the time of death of a condemned criminal.

There was more or less feeling concerning the action of Gov-



THE LIFE OF JESSE HARDING POMEROY.

ernor Rice and Council in regard to Pomeroy. "Why should Governor Rice hang Pomeroy when Governor Gaston would not do it?" was asked by Governor Rice's friends of those opposed to the commutation of the sentence of the boy fiend.

The editor of the South Boston Inquirer expressed the feelings of many residents of that section when he wrote : "The community is disappointed with the result and we presume the whole State will be. There is no safety for the people while such a monster lives, even if he is confined ; escape is possible ; pardon is probable in a few years. It is well the charge of murder of Katie Curran still remains as a final resort in case he is pardoned."

Pomeroy entered the prison soon after the commutation of his sentence.

CHAPTER VII.

POMEROY'S NUMEROUS, BUT UNSUCCESSFUL, ATTEMPTS TO ESCAPE FROM CONFINEMENT.

From the time when Jesse was locked up in jail until the present day his greatest desire has been to effect an escape.

Like a bird in a cage, he has been continually in search for some weak spot in his room by means of which he might gain his liberty.

No one can conscientiously blame Pomeroy for this for the reason that in the first place death stared him in the face. And secondly, after the commutation of his sentence, there was before him a life of imprisonment.

By attempting to make an escape he has had everything to gain and not anything to lose. If detected in his efforts to obtain his liberty there could be but little additional punishment inflicted upon him. He was suffering the most severe punishment the State could give him. He was living in what might be termed a tomb !

It was with the idea that he would cheat the gallows that he attempted to effect an escape from the Charles Street jail while awaiting the disposition of his case.

THE LIFE OF JESSE HARDING POMEROY.

The discovery of this attempt was made on Tuesday, July 20, 1875.

With the aid of a piece of wire, broken from his tin basin, he began digging out the mortar in his cell. So well did he plan the work that, but for a timely discovery, he would have been able in a few hours to have got into the corridor. Once outside his cell it was his intention, it was said, to knock down, or even kill, any person, who stood in his way.

He next made a study of a window, recently put in. He wrote to friends, with the idea of attempting to make an escape, to bring him a file concealed in a banana. He said he wanted to go to Canada !

Letters of this character were found and laid before the Governor and Council.

After Jesse had been committed to the Massachusetts State Prison at Charlestown he began to cause trouble for the officers. At the same time some of his relatives appeared to be very anxious concerning him. They often expressed fears that he was being harshly treated. This, however, was very far from being the fact.

It was some time in the year 1887 ; I think it was in the Spring ; when a relative of the convict urged that something be done for Jesse, who was suffering from an ingrowing nail on the big toe of the right foot. General Chamberlain, then warden of the prison, said that Pomeroy should be properly attended to in that particular.

Dr. Latimer was the prison physician. He made an examination of the toe and concluded that the nail would have to be

THE LIFE OF JESSE HARDING POMEROY.

removed. It was decided to perform the operation on a Sabbath morning when everything about the institution would be more than ordinarily quiet.

When relatives of Pomeroy ascertained what was to be done some of them asked the warden to be allowed to be present when the nail was removed. This request was refused, but the warden told them not to worry as he would be present during the operation.

One beautiful Sabbath morning, while services were being held in the chapel, Jesse was brought from his room in the upper arch to the hospital. He was then laid on the operating board and Warden Chamberlain, who was in the chapel at the time, was summoned.

Jesse lay on his back on the board and when the Warden came beside him he said :

“ Good morning, Warden.”

“ Good morning, Jesse,” said the Warden. “ How do you feel today ? ”

“ I feel very happy today,” replied the convict. “ I had a very pleasant dream last night.”

“ Indeed,” remarked the Warden.

“ Yes, sir. I dreamed that I was free,” continued Jesse, his face brightening up, “ free to go where I wished and no one to stop me. Oh ! how beautiful the grass, and trees, and flowers seemed to me. I ran about. I rolled in the grass. I was so happy. And then I awoke only to think over what I had been dreaming. Warden, do you think I shall ever be free ? ”

THE LIFE OF JESSE HARDING POMEROY.

There was a peculiar smile on Pomeroy's face when he said this.

"I cannot answer that question," was the answer made by the Warden.

At this point the convict was put under the influence of ether and the operation was quickly and successfully performed. I have never heard of Jesse's making a complaint concerning his big toe since that day.

The next Sabbath there was great excitement at the prison. The occasion of it was that Pomeroy had made an attempt to escape.

He was confined, as I have said, in a room in the upper arch, which next to the lower arch, or dungeon, was considered the most secure part of the prison. With the exception of the door, which was of iron, the room was built of heavy blocks of granite. Pomeroy had succeeded in removing the cement around one of these blocks with the intention of pushing it out into the yard and to leave his room through the aperture.

If he had succeeded in getting out of his cell he would then have been in the yard, surrounded by a high wall, which he must have scaled in order to have obtained his freedom.

He had partially pushed out the block of granite he had been at work upon. It protruded so far that it was noticed by one of the yard officers, who reported the fact to the Warden.

An examination of the cell was immediately made and the facts I have mentioned were brought to light.

Pomeroy was removed to another room while the one that he had occupied was repaired.

THE LIFE OF JESSE HARDING POMEROY.

He made no reply when asked why he had attempted to make an escape.

In a short time Pomeroy was returned to his old room and resumed his work of brush making.

At that time the convicts were employed by contractors, Pomeroy was in the brush department and had become a very good and rapid workman.

It was not long after his attempted escape that Pomeroy and all the other convicts were removed from Charlestown to the new prison at Concord, Mass.

Jesse was given a room, which was considered one of the strongest in the prison, he being still kept in close confinement. As soon as he was put in the room he began an investigation to ascertain if he could effect an escape.

The result was that Jesse worried the officers a great deal. On three occasions he nearly succeeded in getting out of his room. He cut through wood work and also removed the steel bars to his windows. This was done at each of the three attempts.

Fearing that he might succeed the Warden caused Pomeroy's room to be covered with boiler iron. It would hardly seem possible that thus inclosed that a prisoner could hope to escape.

Jesse was not discouraged. He seemed to think that the greater the obstacle the more he should exert himself.

After the boiler iron had been put in he made several attempts to escape. He cut off the heads of the bolts, which held the plates together. He always tried to get at a window.

THE LIFE OF JESSE HARDING POMEROY.

Vigilance on the part of the officers, more than the strength of the prison, prevented Pomeroy from escaping.

Concord prison was far from being strong. This was shown by the fact that a convict, put in a punishment cell at 10 o'clock in the forenoon, was at 1 o'clock, the same day, captured in the yard. He had removed a portion of a window frame, and, becoming possessed of an iron weight, had broken through the brick wall.

I was told that Pomeroy suddenly desisted from attempting to escape on account of an order given the officers to shoot him if he should be found in the yard. I will not vouch for the truth of the report.

A revolt and a series of exciting scenes at the Concord prison had the effect, not only of awakening a renewed interest in prison matters, but caused the return of the convicts to the old bastille of the Commonwealth of Massachusetts in Charlestown.

Pomeroy was again placed in close confinement in the upper arch.

Soon after his return to Charlestown he began to make plans for an escape. He frequently cut the bars of the door of his room.

In a short time the iron bars of his cell door were removed and steel bars substituted. It was thought that no farther trouble, at least for some time, would be caused by the determined prisoner.

In this regard the management was mistaken and greatly surprised.

THE LIFE OF JESSE HARDING POMEROY.

On Thursday, Nov. 10, 1887, the officers and inmates of the prison were startled by the noise made by an explosion. An investigation showed that Pomeroy had been tampering with a gas pipe, which was around the outside of his cell.

With the aid of a knife blade, which he had made into a saw, he removed the cement from between a number of the granite blocks comprising the walls of his cell, and had also sawn the gas pipe. To this pipe he attached a pipe of his own manufacture, made of cloth and paper, which he had pasted together. The cement he took from the wall he put in a pail in such small quantities that it was not detected.

He placed his bed blanket over the pipe before he lighted the gas. It was a wonder he was not killed. As it was his eyes were injured. Had he not had the best of treatment at the hands of Dr. Sawin there is but little doubt that he would have become blind.

The explosion tore off the plastering in the hospital, rent the walls of the upper arch in several places and did other damage. No one appeared to know where the convict obtained the tools he worked with, except that he made some of them out of articles furnished by the prison.

Pomeroy was sent to the hospital, his cell was repaired and in time he was returned to his old room.

Notwithstanding repeated defeats he continued to cut the bolts and bars of his cell door. On two occasions he succeeded in getting out of his room and was found roaming about the upper arch.

By authority of the legislature of Massachusetts an addition

THE LIFE OF JESSE HARDING POMEROY.

was made to the hospital wing of the prison, the upper arch being under the hospital. This resulted in a special room being built for Pomeroy. It was as strong as it was possible to make a cell.

* The convict, however, continued to cut bars and tamper with locks.

CHAPTER VIII.

THE MANNER IN WHICH THE CONVICT PASSES HIS HOURS. — “A CHILD OF THE DEVIL.”

For sixteen years Jesse has been an inmate of the Massachusetts State Prison. During all of those years he has been in close confinement. With the exception of his frequent attempts to escape he has been a good prisoner. That is : he has not committed an assault, or harmed any person.

During a number of years, under the contract system, he was employed by a brush company and worked diligently. His work-shop was his cell. His mind was fully occupied.

In moments when not asleep, or at work, he read considerably. One of his favorite books was “The Life of Napoleon.” He was especially interested in the life of the great general on St. Helena. There were many other books which he read, as there is a fine library in the prison. He also began the study of arithmetic and grammar, but never made much progress.

There is no truth in the statements that he is proficient in Greek, or any other language.

As I have stated, his health has been good, although he had

THE LIFE OF JESSE HARDING POMEROY.

"la grippe" in 1891. The fact that he has been healthy has been due, doubtless, to the regularity of his diet. It may be interesting to the reader to know what the bill of fare at the Massachusetts State Prison comprises. The following is a copy:

SUNDAY.

Breakfast. — Rice and milk, white bread and coffee.

Dinner. — Baked fish or baked meat, white bread, fruit, tea.

MONDAY.

Breakfast. — Oatmeal and milk, white bread and coffee.

Dinner. — Baked beans and brown bread.

Supper. — White bread and tea.

TUESDAY.

Breakfast. — Meat hash, white bread and coffee.

Dinner. — Corned beef and vegetables.

Supper. — Corned beef, white bread and tea.

WEDNESDAY.

Breakfast. — Rice and milk, white bread and coffee.

Dinner. — Beef soup, potatoes and white bread.

Supper. — White bread and tea.

THURSDAY.

Breakfast. — Meat hash, white bread and coffee.

Dinner. — Baked beans and brown bread.

Supper. — Corned beef, white bread and tea.

FRIDAY.

Breakfast. — Mush and milk, white bread and coffee.

Dinner. — Clam chowder, potatoes and white bread.

Supper. — White bread and tea.

THE LIFE OF JESSE HARDING POMEROY.

SATURDAY.

Breakfast. -- Meat hash, white bread and coffee.

Dinner. -- Beef soup, potatoes and white bread.

Supper. -- Corned beef, white bread and tea.

The menu is varied somewhat by the Warden, who, upon holidays and at other times, at his discretion, introduces articles not named in the bill of fare.

At stated times Jesse has been allowed to receive visits from relatives, which have been a source of great pleasure to him. Once a year, perhaps, the Governor and members of the Executive Council visit Pomeroy's cell.

The convict, as a rule, has not been communicative. He has been inclined to be sulky and when questioned has made brief and evasive answers. When, however, he has desired to make an impression in his own favor he has been very talkative.

Since the abolition of the contract system in the penal institutions of Massachusetts Pomeroy's hours have passed slowly. All he has had to do has been to eat, read, sleep and walk about his room. Occasionally he has been given outdoor exercise in the yard, but always accompanied by an officer. Sounds from the outside world rarely reach his ears. The upper arch has always been as silent as the grave.

Thus has the convict lived year after year, without anything to hope for except a pardon, or effecting an escape. And yet his life has ever been dear to him.

Nearly every person, who has visited the Massachusetts State Prison, has asked about Pomeroy and expressed a desire to see him. Under no circumstances have visitors been allowed

THE LIFE OF JESSE HARDING POMEROY.

to enter the upper arch. Occasionally permission has been given visitors to look through a small aperture in a heavy iron door, but all that could be seen was a row of cells. Not a human being was in sight.

In all probability Pomeroy will die in prison. With the terrible record which he has no executive would have the temerity to pardon him. Only by the grossest negligence could he effect an escape.

It is generally admitted that Jesse was born with evil propensities. As a number of horrible crimes have recently been committed, not only in the United States, but in Europe, attributable to such conditions, attention has been attracted to the subject. Distinguished medical men, who have made a study of the matter, claim that disease of such a character can be cured. The statement has not been well received by individuals, who have had more or less to do with criminals. The Somerville boy, who murdered his employer, George Codman, a milk dealer, and scattered the severed remains in the snow along Lexington roads, was said to be a victim of heredity. No one appeared to have known this until after the crime had been committed. No one can truthfully deny the progressiveness of science, and yet there have been individuals who have not believed it possible for science to accurately determine whether or not a man would become a criminal.

Who would have thought that Sawtell would have killed his brother, or that Almy, Deeming and Anastay would have committed their fearful deeds ?

In regard to heredity, the New York Sun recently pub-

THE LIFE OF JESSE HARDING POMEROY.

lished an editorial, entitled "A Child of the Devil." It is interesting and is as follows :

"The danger of adopting babies at hap-hazzard, on the strength of their looks only, and without knowledge of their inherited character, is illustrated very strikingly and painfully in the case of the lad Frank" * * * "who was sentenced to the Elmira Reformatory last Thursday for theft.

When Frank was a little child in a public institution the beauty of his appearance attracted the interest of a well-to-do and childless gentleman, who took him from the asylum to educate him as his adopted son. The boy received every advantage of care and education which money and affection could bestow, and his future was made secure by the declared intention of his adopted father to provide for him handsomely by will. He was like a character in a novel or play, to whom fortune had come by rare chance ; an extraordinarily lucky boy. In the romance he would have turned out a noble fellow, the pride, glory and support of his grateful benefactor. As a matter of fact, he has brought up in prison before he has reached manhood.

From his early boyhood Frank showed depraved tastes, due manifestly to a depraved inheritance. He was slow to learn at school, but adept in viciousness. He took the downward road naturally, and no amount of affectionate effort could get him into the upward path. He was born bad, his physical weakness typifying his morbid moral nature. He was turned out of one school after another as a boy insensible to moral influences and dangerous to his fellow pupils. He was ungovernable in his tastes and appetites either by himself or anybody else. Neither kindness nor severity had any effect upon him. He seemed bound

THE LIFE OF JESSE HARDING POMEROY.

to go to the devil, no matter how great the obstacles put in his way. He was apparently equipped by nature for no other race.

He took to drink and to vice of all kinds with the precocity of a determined reprobate, so that finally his long-suffering benefactor was forced to give up the attempt to restrain him from his predestined course ; and Frank is now in the Elmira Reformatory, probably an incurable specimen of innate depravity.

It is a remarkable case as showing the certainty with which the laws of heredity work, or, at least, the logical development of character according to conditions fixed at birth. Such innate moral deformity is no more easily curable than pronounced congenital physical deformity. Instead of becoming more pliable as maturity is reached, character becomes more and more fixed.

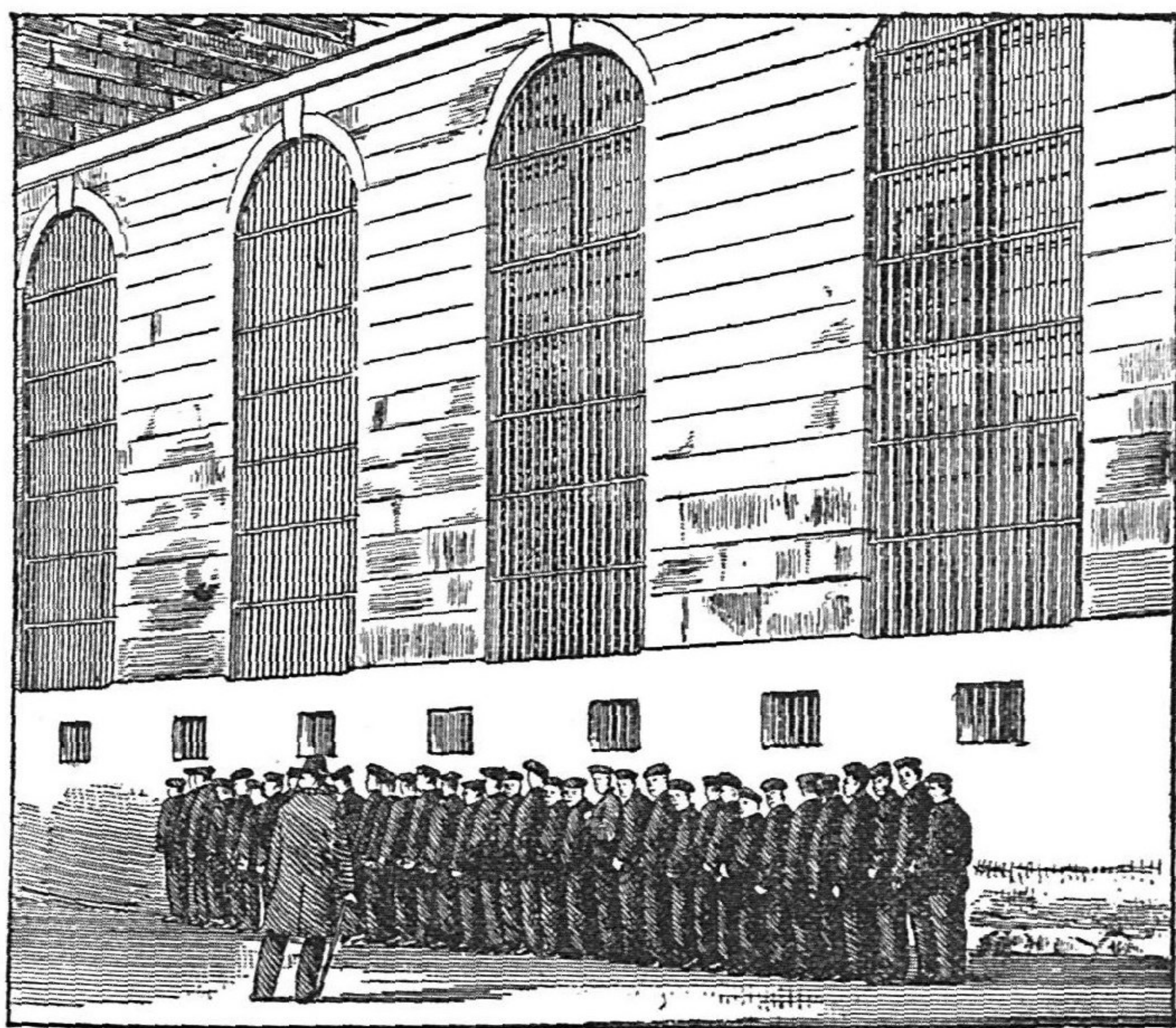
If it begins in rottenness, it ends in loathsome corruption. If it is thoroughly diseased in boyhood, the disease is obstinate in manhood. A mere change of environment will not affect the transformation, though it may give a better chance to a character in which a sane equilibrium is disturbed by unfavorable conditions of life.

When a man buys a horse for careful family use he takes pains to find out something about the disposition of the animal, and if he pays a high price for it, he wants to know about its pedigree.

He does not go to a refuge for neglected and abandoned horses as to whose antecedents nothing is obtainable, and select a young colt simply because of its pretty ways. Yet here a man of business discernment ventured to adopt a baby out of an

THE LIFE OF JESSE HARDING POMEROY.

asylum, in which are presumably children of depraved or unfortunate parents, and to rear him as his own son and heir. The result is not surprising."



CHAPTER IX.

A GLANCE AT POMEROY'S YOUTH. — JESSE'S UNACCOUNTABLE DEPRAVITY.

In my search for facts concerning Pomeroy I found in the Boston Globe an article relating incidents of his youth. I made the following quotations :

“As I remember Jesse, he was a couple of years older than I, and the quietest and most retiring boy I ever knew. He seldom had a word to say for himself or anybody else. He would never kick foot ball with the other boys, but sit on a fence or stone wall and overlook the job. When it came to ‘choosing up sides’ for a terrific game of base ball, Jesse would never consent to be on either side — nor would he umpire the game.

If we coaxed real hard, he would keep the score, sitting on the green, with his eyes cast down, and sticking his knife into the sod, absently, not at all viciously. When it came to swimming and jumping off crosstrees of schooners and coal stagings into the bay, Jesse was not in it. He would sit on the wharf or on the side of the schooner, legs dangling over, quiet and furtive.

If we made a night raid on Dr. Howe's orchard, Jesse wouldn't be with us. Often, on Sundays, we would hire a boat

THE LIFE OF JESSE HARDING POMEROY.

at old City Point, at a quarter of a dollar an hour, and go rowing across to far away orchards. Jesse would sit in the bow or stern and let us pull at the oars. That was remarkable, for we all wanted to row.

Jesse was the only boy I ever knew who wouldn't try to pull a boat out of the water with an oar."

* * * * *

"One fine day there came into the school-room, in which Jesse had a seat and desk, the head master, a Mr. Barnes, I think, an officer and one of the unknown's victims. The little fellow had been found, I think, in Chelsea, hung up and cut up. When he recovered he said it wasn't a man with red whiskers and hair who had treated him so, but a boy who looked to be four or five years older than himself. In fact, 'like a school-boy,' he said. So they took this poor little mutilated chap around to all the schools in Boston, I believe, until they came to, I think, the Bigelow school.

'Do you see him here?' said the master to the little victim.

'N-no,' hesitatingly replied the little fellow. Then, sharply, from the lady teacher :

'Pomeroy ! why don't you hold up your head ?'

Slowly Jesse raised his head and the boy screamed : 'That's him ! that's him ! I'd know him by his eye !'

And so Jesse was arrested, tried, found guilty and sentenced to the Westboro Reform School. If Jesse had been ill that day — ill enough to have kept himself in the house — he might be rivaling Jack the Ripper now.

THE LIFE OF JESSE HARDING POMEROY.

Jesse had a bad eye. Not in a wicked sense, but we boys used to say that Jesse had a lace curtain over his eye. It was a white eye ; his other eye was a mild, I think, blue one. I always felt sorry for him on account of the sad, sort of appealing, dog-like look in those eyes of his. As I remember him, he had light brown hair, and was always neatly dressed."

* * * * *

"Jesse never quarrelled with or raised his voice to any one. His manners were perfect. But he had a hard time of it in the Westboro Reform School. The boys there — the majority of them — were in for playing truant and being unmanageably wild. Jesse was treated as a common pickpocket would be by burglars.

There are several grades even in boy's prisons, and scavengers cannot mingle with aristocrats. So every time a boy got a chance Jesse was whipped. His story had got over the school. But his mother bent all her energies toward his release, with the result that Jesse was liberated to read novels behind his brother's news-stand, for he was shunned by the boys in the fields.

He was out a little while when I met him one day while I was going on skates under full sail down the bay to Fort Independence. All we had to do in those days was to open our jackets, face the south, and the wind would do the rest for miles. He was coming up afoot, striking at a wooden block with a 'hockey.' I cried out 'Hello, Jesse !' but he didn't take any notice of me.

Sometimes we wouldn't see Jesse for days and days. — Then, suddenly, he would slope onto our play-ground with a shoulder shrug by way of reply to our salutations, and get away

THE LIFE OF JESSE HARDING POMEROY.

by himself to resume his old occupation of sticking his knife into the green sward.

The only time that Jesse would brighten up was when we played 'Scouts and Indians.' I always insisted on playing Wild Bill, because he had killed thirty-nine men, and Buffalo Bill, Dashing Charlie Emmett, Texas Jack, Wrestling Joe and Squirrel Cap were each impersonated by a competent artist. The Indians were intrusted to boys who expected to get thrashed, and who generally deserved nothing but a thrashing.

Jesse would watch us, but he thought it unfair that the Indians were always wiped out, while the scouts were victorious. He seemed to think more of the Indians than he did of the scouts. I guess that was because he was such a novel reader. He always had a brick-colored 'Beadle' or a white-covered 'Munro' in his pocket or hand.

In school he used to keep a novel back of his history, grammar or geography, and devour it while pretending to study his lessons.

Simon Gerty, I remember, was his hero, while the rest of us swore by Kenton, Boone and the Wetzels. Jesse used to think that it was a fine thing to be a renegade like Gerty ; to be the one white man in a great Indian tribe like the Shawnees ; to have lots of squaws to do all the work, while he sat around and discussed roasted venison.

Then the fun with the prisoners of war ! The running of the gauntlet, and the different modes of putting captives to death.

It was all wildly extravagant talk and not worth writing about but for the fact that at that very time Boston was in a sea

THE LIFE OF JESSE HARDING POMEROY.

of excitement over the outrages perpetrated by some unknown person on little boys of from 8 to 9 years of age.

One week the news would come that a little boy was found tied to a telegraph pole on the Old Colony or Boston, Hartford and Erie road, horribly mutilated, with his back in ribbons and caked with salt. The next week or month another little boy, (it was never a boy of Jesse's size or age, nor anywhere near it,) would be found in Chelsea, or East Boston, or Jamaica Plain, or Dorchester, mutilated and cut in the same way. Sometimes a boy was found tied to a tree, sometimes in an old barn, but oftener to a telegraph pole on some railroad. Fathers began to tell their boys to be careful 'of a man with red hair and beard,' as the Goth was described by his victims, and mothers were anxious if their boys were out of their sight for half-a-day.

We used to talk about this earlier 'Ripper' among ourselves, but Jesse never had anything to say about it, one way or the other. Then the number of boys who were 'chased,' and escaped by the enamel of their teeth, at about this time, was legion."

In looking over the files of the Chelsea Pioneer and Telegraph, back in the seventies, I found an article, entitled "Unaccountable Depravity." It was as follows :

"Some months ago a big boy decoyed a smaller one to an old house in the rear of Powder Horn Hill, where he stripped and tied, and beat him in a most cruel manner without any prov-

THE LIFE OF JESSE HARDING POMEROY.

ocation, or apparent motive, whatever. This fiendish brute has appeared again, for it can hardly be possible that the same villainess should have an imitator.

On Monday last, about 10 o'clock, a little boy, eight years old, named John Balch, was gazing wistfully into Polley's toy store on Park street, when he was accosted by a large boy, 16 or 17 years of age, who asked the little lad if he did not wish to make a quarter of a dollar. The lad replied in the affirmative.

'Then come with me,' he said. 'I will show you the man — he wants you to carry a small bundle — to do an errand.'

And the two boys went off together.

When about half-way the Balch boy began to demur.

His evil genius encouraged him to proceed. The distance, he said, was not much further and the man was waiting to give him the 25 cents, and so on, until they reached the spot back of Powder Horn, near the brick kiln.

Here the villain enticed him into an old house when he threatened the boy if he made the least outcry he would kill him.

He stripped off the boy's clothes, gagged him by stuffing a handkerchief in his mouth, tied him up by the wrists to a beam, with cords which he had brought for the purpose, and flogged him with a rope unmercifully and fiendishly.

When the boy asked why he did so, his reply was, 'the man told me to do it.'

When he had whipped the poor victim about ten minutes, till he was black and blue, he added a few severe kicks, and being

THE LIFE OF JESSE HARDING POMEROY.

apparently satisfied with his exploit he untied him and put the cords in his pocket, telling the boy that if he came out of the place he would kill him.

The boy was afraid to go out and sat there till some one came in.

Meantime the parents, who live in the Academy of Music building, and who are new comers to the city, missed their son and looked for him till evening, fearing he might have fallen off one of the wharves.

They were surprised to see him returning about 5 o'clock. He had been absent from 10 to 5.

The boy can identify the fiend when he sees him.

The City Council has offered a reward of \$500 for his conviction."

This brings to a close the history of Massachusetts' most noted criminal.

There is no doubt that in the future as in the past Pomeroy will be heard from and that he will add considerable many interesting facts to his history before death shall come and free him from his lonely prison cell.

EAST MIDDLESEX STREET RAILWAY.

This line is one of the best in New England. Its cars run through Woburn, Stoneham, Melrose, Melrose Highlands, Malden, Everett, Chelsea and Cliftondale to Revere Beach. — Cars run every 15 minutes. Holidays and Sundays oftener.